

(1)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.157 OF 2023

**MANISHA SHIVAJI SANAP
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. Hange Rajendra G.
APP for Respondent/State : Mr. S.B. Narwade
...

CORAM : S.G. MEHARE, J.

DATED : MARCH 17, 2023

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. It has been alleged against the applicant that she was illegally doing pregnancy tests. She had also tested the deceased and told her that she had a female foetus. Thereafter, she was aborted at some place. Due to heavy bleeding, she died. The applicant was arrested with machine used for prenatal diagnosis and the huge cash of Rs.29,13,500/-. She was arrested on 08.06.2022. Since then she is behind bar. She has no satisfactory explanation about the huge money lying with her.
3. The bail is claimed on the ground that investigation has been completed. She has small children. The money lying in her house has been seized. The trial will take its time to complete.

4. Learned APP would submit that she was also involved in the similar crime. The crime started from her home and ended in the death of a women. Therefore, she does not deserve bail.

5. She is languishing in jail for about nine months. Charge sheet has been filed. No purpose would be served keeping her behind bar. Certain conditions may be imposed upon her. Hence, the following order :

ORDER

(i) Bail Application is allowed.

(ii) The applicant, Manisha Shivaji Sanap, be released on bail on executing P.B. and S.B. of Rs.1,00,000/- (Rupees one lac) with one or two solvent sureties of Rs.50,000/- in the like amount in connection with Crime No.70 of 2022, registered with Pimpalner Police Station, District Beed for the offence punishable under Section 304, 312, 314, 315, 316, 420, 201 read with Section 34 of the Indian Penal Code, Section 3, 4(B), 3, 4, 5, 6 of the Medical Termination of Pregnancy Act and Section 3, 3(A), 5, 6, 22, 23, 25, 29 of the Pre-Conception and Pre-natal Diagnostic Techniques Act, on the conditions that she shall not tamper with the prosecution witnesses.

(iii) The applicant shall not leave her place of residence without intimation to the PSO, Georai, District Beed till the conclusion of trial.

(3)

(iv) The applicant shall attend the trial on each and every effective date.

(S.G. MEHARE, J.)

Mujaheed//